

## **EXHIBIT “G”**

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

In re:	)	Case No. 06-25454 (MBM)
	)	Chapter 11
LE-NATURE’S, INC., <u>et al.</u> ,	)	
	)	Jointly Administered
Debtors.	)	
	)	Related to Document Nos. 1459, 1560 and
	)	1596
<hr/>		
R. TODD NEILSON, CHAPTER 11 TRUSTEE,	)	
	)	
Movant,	)	
	)	
v.	)	
	)	
NO RESPONDENT	)	

## REPORT OF SALE OF LATROBE FACILITY

**Property:** Real and Personal Property defined as the “Property” in that certain Amended and Restated Asset Purchase Agreement between R. Todd Neilson, Chapter 11 Trustee of Le-Nature’s, Inc. and Cadbury Schweppes Bottling Group, Inc., as the same was amended prior to closing

**Seller:** R. Todd Neilson, Chapter 11 Trustee of Le-Nature's, Inc. (the "Trustee")

**Purchaser:** CS Acquisition, L.P., as designee of Cadbury Schweppes Bottling Group, Inc. (“Buyer”)

Please be advised that on October 9, 2007, and pursuant to Court orders dated August 9, 2007, August 31, 2007, and September 25, 2007 [Docket Nos. 1526, 1576 and 1623, respectively], the Trustee completed the sale of the Property to Buyer for a purchase price of \$19 million. A copy of the Settlement Statement from the closing is attached hereto as Exhibit A.

In accordance with this Court's Order dated October 4, 2007 [Docket No. 1643], \$8 million of the sale proceeds were paid to the joint venture of Gordon Brothers Industrial, LLC and Harry Davis & Company as repayment of the Advance (as that term is used in such Order). Additional closing costs paid by the Trustee totaled \$205,371.43. On October 9, 2007, the Trustee also received \$4,273,346.69 from Giant Eagle, Inc., representing the forfeiture of Giant

Eagle's \$2 million deposit plus accrued interest of \$23,346.69 and the \$2.25 million settlement payment. The Trustee therefore has received total net consideration of \$15,145,040.27 and will receive \$248.88 in additional accrued interest on the Giant Eagle deposit, for total net consideration of \$15,145,289.15 ("Net Sale and Settlement Proceeds").

Subject to the Court's approval, the Trustee will distribute the Net Sale and Settlement Proceeds in accordance with a motion to be filed in the near future that will propose the terms of such distribution.

Dated: October 17, 2007

**SPILMAN THOMAS & BATTLE, PLLC**

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Attorneys for R. Todd Neilson,  
the Chapter 11 Trustee for the Debtors

# **EXHIBIT A**

# A. Settlement Statement

U.S. Department of Housing  
and Urban Development

OMB No. 2502-0265

## B. Type of Loan

1. ☐ FHA 2. ☐ FmHA 3. ☐ Conv Unins  
4. ☐ VA 5. ☐ Conv Ins. 6. ☐ Seller Finance  
6. File Number 410007004 7. Loan Number 8. Mortgage Ins Case Number

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name & Address of Borrower CS Acquisition, L.P., A Pennsylvania limited partnership	E. Name & Address of Seller R. Todd Neilson, Chapter 11 Trustee	F. Name & Address of Lender
G. Property Location Lloyd Avenue and Unity Township Westmoreland County PA	H. Settlement Agent Name Lawyers Title Insurance Corporation One PPG Place 12th Floor Pittsburgh, PA 15222 Tax ID: 540278740 Place of Settlement Lawyers Title Insurance Corp. One PPG Place 12th Floor Pittsburgh, PA 15222	
		I. Settlement Date 10/9/2007 Fund:

J. Summary of Borrower's Transaction				K. Summary of Seller's Transaction			
100. Gross Amount Due from Borrower				400. Gross Amount Due to Seller			
101. Contract Sales Price		\$19,000,000.00		401. Contract Sales Price		\$19,000,000.00	
102. Personal Property				402. Personal Property			
103. Settlement Charges to borrower		\$48,745.38		403.			
104.				404.			
105.				405.			
Adjustments for items paid by seller in advance				Adjustments for items paid by seller in advance			
106. City/Town Taxes	10/10/07 thru 12/31/07	\$5,762.67		406. City/Town Taxes	10/10/07 thru 12/31/07	\$5,762.67	
107. County property taxes	10/10/07 thru 12/31/07	\$6,862.69		407. County property taxes	10/10/07 thru 12/31/07	\$6,862.69	
108. School Tax	10/10/07 thru 06/30/08	\$64,412.08		408. School Tax	10/10/07 thru 06/30/08	\$64,412.08	
109. City of Pittsburgh School				409. City of Pittsburgh School			
110. Fire	10/10/07 thru 12/31/07	\$27.57		410. Fire	10/10/07 thru 12/31/07	\$27.57	
111. Other Proration				411. Other Proration			
112.				412.			
113.				413.			
114.				414.			
115.				415.			
116.				416.			
120. Gross Amount Due From Borrower		\$19,125,810.39		420. Gross Amount Due to Seller		\$19,077,065.01	
200. Amounts Paid By Or in Behalf Of Borrower				500. Reductions in Amount Due to Seller			
201. Deposit or earnest money		\$2,000,000.00		501. Excess Deposit			
202. Principal amount of new loan(s)				502. Settlement Charges to Seller (line 1400)		\$8,205,371.43	
203. Existing loan(s) taken subject to				503. Existing Loan(s) Taken Subject to			
204. Commitment fee				504. Payoff of first mortgage loan			
205.				505. Payoff of second mortgage loan			
206. Interest on Hand Money		\$9,847.66		506.			
207.				507.			
208.				508.			
209.				509.			
Adjustments for items unpaid by seller				Adjustments for items unpaid by seller			
210. City/Town Taxes				510. City/Town Taxes			
211. County property taxes				511. County property taxes			
212. School Tax				512. School Tax			
213. City of Pittsburgh School				513. City of Pittsburgh School			
214. Fire				514. Fire			
215. Other Proration				515. Other Proration			
216.				516.			
217.				517.			
218.				518.			
219.				519.			
220. Total Paid By/For Borrower		\$2,009,847.66		520. Total Reduction Amount Due Seller		\$8,205,371.43	
300. Cash At Settlement From/To Borrower				600. Cash At Settlement To/From Seller			
301. Gross Amount due from borrower (line 120)		\$19,125,810.39		601. Gross Amount due to seller (line 420)		\$19,077,065.01	
302. Less amounts paid by/for borrower (line 220)		\$2,009,847.66		602. Less reductions in amt. due seller (line 520)		\$8,205,371.43	
303. Cash From Borrower		\$17,115,962.73		603. Cash To Seller		\$10,871,693.58	

L. Settlement Charges						
700. Total Sales/Broker's Commission based on price				@ % = \$0.00		
					Paid From	Paid From
					Borrower's	Seller's
					Funds at	Funds at
					Settlement	Settlement
701. \$0.00	to					
702.	to					
703. Commission Paid at Settlement					\$0.00	\$0.00
704. Advance	to	Harry Davis & Company & Gordon Brothers Industrial LLC				\$8,000,000.00
800. Items Payable in Connection with Loan						
801. Loan Origination Fee	%	to				
802. Loan Discount	%	to				
803. Appraisal Fee		to				
804. Credit Report		to				
805. Lender's Inspection Fee		to				
806. Mortgage Insurance Application		to				
807. Underwriting Fee		to				
808. Doc Prep Fee		to				
900. Items Required by Lender To Be Paid in Advance						
901. Interest from	to	@ \$0/day				
902. Mortgage Insurance Premium for	months	to				
903. Hazard Insurance Premium for	years	to				
1000. Reserves Deposited With Lender						
1001. Hazard insurance	months @		per month			
1002. Mortgage insurance	months @		per month			
1003. City/Town Taxes	months @		per month			
1004. County property taxes	months @		per month			
1005. School Tax	months @		per month			
1006. City of Pittsburgh School	months @		per month			
1007. Other Proration	months @		per month			
1008. Other Proration	months @		per month			
1009. Other Proration	months @					
1010.	months @					
1011. Aggregate Adjustment						
1100. Title Charges						
1101. Settlement or closing fee	to					
1102. Abstract or title search	to					
1103. Title examination	to					
1104. Title insurance binder	to					
1105. Loan Closing Fee	to					
1106. Notary fees	to					
1107. Attorney's fees	to					
(includes above items numbers: )						
1108. Title insurance	to	Lawyers Title Insurance Corporation			\$10,395.38	
(includes above items numbers: )						
1109. Lender's coverage	\$0.00/\$0.00					
1110. Owner's coverage	\$3,830,000.00/\$10,395.38					
1111.	to					
1112. Courier / Delivery Fee	to					
1113. Closing Protection Letter	to					
1200. Government Recording and Transfer Charges						
1201. Recording Fees	Deed \$50.00	; Mortgage		Releases	\$50.00	
1202. City/County Tax/Stamp: Transfer Tax	Deed \$38,300.00	; Mortgage	to Westmoreland County Recorder		\$19,150.00	\$19,150.00
1203. State Tax/Stamp: Transfer Tax	Deed \$38,300.00	; Mortgage	to Westmoreland County Recorder		\$19,150.00	\$19,150.00
1204.	to					
1300. Additional Settlement Charges						
1301. Survey	to					
1302. Taxes/Lien Letters	to	Lawyers Title Insurance Corporation				\$750.00
1303. Corporate Taxes	to	Commonwealth of PA, Department of Revenue				\$6,899.00
1304. 2007 Real Estate Taxes (#150390182)	to	City of Latrobe				\$56.50
1305. 2007 Real Estate Taxes (#6119000195)	to	MARK J. BURKARDT				\$2,027.87
1306. 2007 Real Estate Taxes (#611900019560501)	to	MARK J. BURKARDT				\$3,535.63
1307. Supplements/Sur Charge (#0501)	to	MARK J. BURKARDT				\$3,976.07
1308. Water Charges (25-A-R)	to	Municipal Authority of Westmoreland Co.				\$2,032.07
1309.	to					
1310. 2007 Real Estate Taxes (#6119000191)	to	MARK J. BURKARDT				\$2,322.35
1311. 2007 Real Estate Taxes (#150300486)	to	City of Latrobe				\$115,983.22
1312. 2007 Real Estate Taxes (#1503100021)	to	City of Latrobe				\$8,612.02
1313. 2007 Real Estate Taxes (#1503100055)	to	City of Latrobe				\$8,597.33
1314. Water/Sewage Charges	to	Latrobe Municipal Water Authority				\$210.27
1315. 2007 Real Estate Taxes (#1503100023)	to	City of Latrobe				\$159.32
1316. 2007 Real Estate Taxes (#1503100024)	to	City of Latrobe				\$236.15
1317. 2007 Real Estate Taxes (#1503100025)	to	City of Latrobe				\$236.15
1318. 2007 Real Estate Taxes (#1503100026)	to	City of Latrobe				\$159.32
1319. 2007 Real Estate Taxes (#1503100027)	to	City of Latrobe				\$159.32
1320. 2007 Real Estate Taxes (#1503100028)	to	City of Latrobe				\$159.31

1321. 2007 Real Estate Taxes (#1503100029)	to City of Latrobe		\$198.85
1322. 2007 Real Estate Taxes (#1503100030)	to City of Latrobe		\$218.07
1323. 2007 Real Estate Taxes (#1503100031)	to City of Latrobe		\$168.36
1324. 2007 Real Estate Taxes (#1503100054)	to City of Latrobe		\$289.24
1325. Duplicate Tax Bill Fees	to City of Latrobe		\$70.00
1326. Duplicate Tax Bill Fees	to Unity Township Tax Collector		\$15.00
1327. Addl Water/Sewer/Taxes/Penalty/Interest	to Lawyers Title Insurance Corporation		\$10,000.00
<b>1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)</b>		<b>\$48,745.38</b>	<b>\$8,205,371.43</b>

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.

CS Acquisition, L.P., A Pennsylvania limited partnership

R. Todd Neilson, Chapter 11 Trustee

By \_\_\_\_\_

By \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

**SETTLEMENT AGENT CERTIFICATION**

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this statement.

Settlement Agent \_\_\_\_\_

Date \_\_\_\_\_

**Warning:** It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

Previous Editions are Obsolete

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form HUD-1 (3/86)  
Handbook 4305.2